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10/661,128	09/12/2003	Jeffrey George	60,518-173	7760

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EXAMINER
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KIM, ANDREW

ART UNIT	PAPER NUMBER
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3714

MAIL DATE	DELIVERY MODE
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07/06/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/661,128

Applicant(s)

GEORGE ET AL.

Examiner

Andrew Kim

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 and 33-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 and 33-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

This office action is in response to the amendment filed on 5-22-07 in which:

- Claims 1-3, 5, 8, 10, 13, 18, 20, 22, 24, 26, 30, 33-36, and 40 have been amended.
- Claims 31 and 32 have been canceled.
- Response to claims rejection have been filed.
- Claims 1-30 and 33-41 are pending.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the streaming video of the technical instructions in claim 30 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code 102 not included in this action can be found in a prior Office action.

**Claims 1, 3, 4, 10, 13-17, 22-26, 40 and 41 are rejected under 35 U.S.C. 102(e) as being anticipated by Cole et al. (US 2004/0137978)**

Claims 1, and 40: Cole discloses

- a processor, which is inherent to gaming controllers (102, 104) (paragraph 75);
- an ID Card reader (fig. 3, item 52) coupled to the processor (paragraph 84);
- a touchscreen display coupled to the processor, the display being dynamically divided into at least first and second panels (Abstract), the first panel implementing a user interface, the user interface for displaying information to a user and one or more user-selectable buttons (paragraphs 104 and 133), the second panel for displaying cycling media (paragraph 137), the processor for receiving input from the user through the user-selectable buttons and instructing the display to display a live video feed from a user-selected security camera on

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the second panel (paragraph 80). The term dynamically has been interpreted to mean that content on the displays can change. The term cycling media has been interpreted as media that is dynamic.

Claim 3. Cole discloses further including a keypad coupled to the processor for receiving input from the user, the processor instructing the display to display instructions for inserting an ID Card into the ID Card reader and for displaying cycling media, the keypad being implemented by the touch-screen display (paragraphs 90, 104, 133 and 137).

Claim 4. Cole teaches wherein the cycling media includes at least one of local attractions, general in-house advertisements, paid advertisements by local merchants, show reviews, promotional alerts, security alerts, community service advisories, emergency directions, featured videos, a Keno board (paragraph 80).

Claim 10. Coles discloses the processor being coupled to a host computer, the host computer for managing a database containing player information, the player information including bonus points, the player tracking device for identifying a player, the display for displaying to a player at least one of a bonus point total, a session bonus point total, and an available cash play (paragraph 30, 60, 90, 96 117).

Claim 13. Cole teaches the display for displaying a list of vouchers assigned to the player, the player being allowed to select a voucher to download, each voucher having an associated number of bonus points (paragraphs 114-115). The menu

displayed to the player to increase and decrease fund amounts allocated to each game reads on the limitation, "displaying a list of vouchers assigned to the player" which corresponds to list of games to which the player has allocated funds.

Claim 14. Cole teaches the bonus points being incentive points (paragraph 111-118). Cole discloses that the bonus points may be used to order food or drink or place a show reservation.

Claim 15. Cole teaches the bonus points being credits (paragraph 115-118). Cole discloses that the bonus points may be redeemed for coins or a coupon representing the cash out value or transferred to an electronic account for later access by the player specifically in paragraph 117.

Claim 16. Cole teaches the player tracking device for allowing the player to download the credits to the gaming machine (paragraph 115-118). Specifically, in paragraph 115, Cole discloses allocating funds to the game of choice.

Claim 17. Cole teaches each voucher being designated as cashable or non-cashable (paragraph 115-118). Cole discloses that the voucher can be non-cashable (paragraph 118) and may be used only to play more games or cashable (paragraph 117) and may be redeemed for coins or a coupon representing the cash out value or transferred to an electronic account for later access by the player.

Claim 22. Cole teaches the user being identified by at least one of an ID card inserted in the ID card reader and a identification number entered on the keypad (paragraph 111).

Claim 23. Cole teaches the display being a touchscreen, the keypad being implemented on the touchscreen (paragraph 133).

Claim 24. Cole teaches the player tracking device for the live video feed being of a remote location (Cole, Abstract).

Claims 25, 41. Cole teaches the remote location being a childcare facility (Cole, Abstract).

Claim 26. A player tracking device, as set forth in claim 25, the player tracking device for confirming that a child of the player is enrolled at the child care facility (Cole, paragraph 80). The confirmation is determined by the access permission disclosed in paragraph 80 where Cole states, "the player may be permitted to access the Internet or a local intranet and have that information (child care facility video feed) displayed by the first display."

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 2, 5-9, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cole et al. (US 2004/0137978) in view of Acres et al. (US 5,655,961).**

Claim 2. Cole substantially discloses the invention as claimed but fails to explicitly teach the user interface implementing a virtual bezel located around the outer perimeter of the touchscreen display, the processor instructing the display to communicate information to the user using the virtual bezel. Instead, Cole discloses that the display is adapted to display information to a player (Abstract). However, it is old and well known in the art of displaying information to a user on an electronic display to use virtual bezels/borders. As far back as Windows 3.1, users have been informed by the use of the virtual bezel/border. For example, when a window is active (window where last action of the user has occurred) the border around the window is different color than the windows that are inactive. On occasion, the window borders would blink or flash to convey to the user that this window deserves special attention. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use virtual bezels/borders to convey information to the user.



Acres teaches the some of the information that may be conveyed by the bezel/border. Acres does not teach a virtual bezel, however it is well understood that the function and effect of the mechanical bezel from Acres may be applied to virtual bezels. Cole teaches multiple displays and lights to enable an auditorily impaired player to play the game and to know when the game has been won (paragraph 107). In an analogous player tracking reference, Acres teaches the use of a bezel around a card reader to provide the user with visual feedback to a user entering a card (Acres, col. 12, lines 49-62). One of ordinary skill in the art would have seen the benefit of modifying Cole with using a bezel on the display as well as a card reader as taught by Acres, to provide the user with further visual feedback and to assist an auditorily impaired player to play the game. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Cole with a bezel as a part of the display as taught by Acres, to provide the user with visual feedback and to assist an auditorily impaired player to play the game which allows more players to play including the handicapped which increases casino profits.

Claim 5. Cole as modified by Acres teaches the bezel having a modifiable parameter for indicating information to a slot employee (Acres, col. 22, lines 47-56).

Claim 6. Cole as modified by Acres teaches the modifiable parameter being color (Acres, col. 22, lines 31-56 and col. 12, lines 49-62).

Claim 7. Cole as modified by Acres teaches the modifiable parameter having one of first and second values (Acres, col. 22, lines 31-56 and col. 12, lines 49-62 and col. 30, lines 40-62, fig. 26). The first and second value being whether the bezel is on or off.

Claim 8. Cole as modified by Acres teaches the first and second values being associated with predetermined criteria of the player (Acres, col. 22, lines 31-56). The rate of the bezel is associated with the bonus points of the player. The bezel may flash so quickly the bezel seems to be constantly one or it may be off depending on how close the player may be to a certain level of activity.

Claim 9. Cole as modified by Acres teaches the first value being indicative of a hot player, the second value being indicative of a mild player (Acres, col. 22, lines 47-56). The bezel flashing rapidly may be indicative of very-near-future bonus activity and the bezel turned off may be indicative of a very far off bonus activity.

Claim 27: Cole does not teach a device for alerting a technician in response to an error condition of the gaming machine. Instead, Cole teaches one or more of the game stations may be associated with a central or common server (paragraph 142). In an analogous gaming reference, Acres teaches alerting a technician from a dispatcher station which is connected to one or more machines to monitor customer service, maintenance, and security events and direct other casino personnel to handle these situations appropriately (Acres, col. 8, lines 9-21). One of ordinary skill in the art would have seen the benefit of modifying Cole with a dispatcher station to alert technicians when an error or other maintenance issue comes forth to maintain the system. The dispatcher system would minimize the down time of a particular machine thereby increasing the

usage of the machine to allow the machine to be played by players and therefore increasing casino profits. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Cole with a dispatcher station to alert technicians of an error as taught by Acres to maintain the system by minimizing the down time of a particular machine thereby increasing the usage of the machine to allow the machine to be played by players and therefore increasing casino profits.

Claim 28: Cole as modified by Acres teaches an ID card for identifying a technician (Acres, col. 8, lines 9-21) but does not explicitly teach a identification number on the keypad. Regardless, it is old and well known in the security art to associate a personal identification number (PIN) with an identification card in case the card is lost or stolen to prevent unauthorized usage. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to associate a PIN to a technician's identification card to prevent unauthorized usage in case the card is lost or stolen.

**Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cole et al. (US 2004/0137978) in view of Pease et al. (US 5,326,104).**

Claims 11 and 12: Cole does not explicitly teach the display for displaying a button for allowing the player to page a slot employee. Instead, teaches an input means such as a touch screen. In an analogous gaming reference, Pease teaches a "Call attendant" key which can be used for security checks (col. 22, lines 18-32). One of ordinary skill in the art would have seen the benefit of modifying Cole with a security button as taught by Pease to provide security to a patron should the patron require it. As in the case where the patron wins a large jackpot and

wants to make sure he/she can get to the cashier or such without complications, the patron would feel safer with ability to page security and thus be more likely to stay at the gaming machine and play more games which increases casino profits.

**Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cole et al. (US 2004/0137978) in view of LeMay et al. (US 2003/0032479).**

Claims 18-21: Cole does not explicitly teach an instant messaging system with text, audio or visual. Instead, Cole teaches two displays in which video content (a combination of audio and visual) may be displayed. In an analogous gaming reference, LeMay teaches instant messaging in a gaming machine. One of ordinary skill in the art would have seen the benefit of modifying Cole with instant messaging as taught by LeMay to provide players the ability to keep in contact with one another without leaving the game. This allows the player to stay at the game and continue to play thereby increasing casino profits. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Cole to provide players the ability to keep in contact with one another without leaving the game which allows the player to stay at the game and continue to play thereby increasing casino profits.

**Claims 29, 30, 33, and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cole et al. (US 2004/0137978) in view of Squeglia et al. (US 2002/0156692).**

Claim 29, 30, 37: Cole discloses

- a processor, which is inherent to gaming controllers (102, 104) (paragraph 75);

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- an ID Card reader (fig. 3, item 52) coupled to the processor (paragraph 84);
- a touchscreen display coupled to the processor, the display being dynamically divided into at least first and second panels (Abstract), the first panel implementing a user interface, the user interface for displaying information to a user and one or more user-selectable buttons (paragraphs 104 and 133), the second panel for displaying cycling media (paragraph 137), the processor for receiving input from the user through the user-selectable buttons. The term dynamically has been interpreted to mean that content on the displays can change. The term cycling media has been interpreted as media that is dynamic.

Cole substantially discloses the invention as claimed but fails to explicitly teach wherein the display may display technical instructions in the form of streaming video to the user. Instead, Cole teaches a dispatcher station for alerting the correct personnel to handle each situation appropriately. However, in the art of repair and maintenance, Squeglia teaches the use of a display unit which displays the repair instructions to the repair technician and creates a record of the service event (paragraph 65). One of ordinary skill in the art would have seen that a slot machine and other casino machines apply as complex equipment by reading the following excerpt from Squeglia, "This invention relates to method and system for servicing generally complex equipment" (paragraph 1). One of ordinary skill would have recognized that if the problem to be solved were to find an efficient method for repairing and maintaining casino equipment, one of ordinary skill would have qualified any and all repair and maintenance

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references as possible solutions. That is, if one of ordinary skill had knowledge of Squeglia's invention and needed to solve the problem of finding an efficient method of repairing and maintaining casino equipment, one of ordinary skill would have implemented Squeglia's invention.

Thus, one of ordinary skill in the art would have seen the benefit of modifying Cole with a display to communicate repair instructions to a technician as taught by Squeglia to provide the technician with easy-to-follow instructions such as streaming video (Squeglia, paragraph 56 and 65) to quickly repair a machine such that the machine can be played by players and produce profit for the casino. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Cole with displaying instructions to the slot technician as taught by Squeglia to provide the technician with easy-to-follow instructions to quickly repair a machine such that the machine can be played by players and produce profit for the casino.

Furthermore, although Squeglia teaches the use of a portable display unit, one of ordinary skill in the art would have seen the benefit of using the existing display units on a typical casino floor as display units instead of a portable display unit because the portable display units will increase operating expenses by requiring purchase of the units and requiring training to the technicians on how to use them which decreases casino profits and undesirable by the casino establishment. Rather, using the existing units on the floor decrease expenses and increases casino profits.

Claim 33: Cole as modified by Squeglia does not explicitly teach the instructions being related to a repair of the gaming machine. Instead, Squeglia teaches repair of a locomotive. However, the structure of Cole as modified by Squeglia meets the structure of the instant

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invention with the difference in the object being repaired is merely the intended use. Therefore, the claimed structure and Cole modified by Squeglia's structure are equivalent and the instant invention is not patentably distinct over the modified invention.

Claim 38: Cole does not teach a glossary of terms for the repair technician. Instead, Cole teaches a display for displaying information to the user. However, it would have been obvious to include a glossary of terms for the technician to be able to quickly reference because it would facilitate the repair of the machine. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Cole with displaying a glossary of terms to provide the technician with a quick reference to facilitate a repair of a machine to minimize down time and maximize casino profits.

Claim 39. Cole teaches the player tracking device for the live video feed being of a remote location (Cole, Abstract)

**Claims 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cole et al. (US 2004/0137978) in view of Squeglia et al. (US 2002/0156692) and further in view of Weiss (US 5,611,730).**

Claims 34 and 35: Cole does not teach using the keypad for entering repair codes or verification of machine activity. Instead, Cole teaches a keypad for entering information (Cole, paragraph 90). In an analogous gaming reference, Weiss teaches a maintenance system which uses a keypad to enter repair codes and verify machine activity. One of ordinary skill in the art

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would have seen the benefit of modifying Cole with a maintenance system as taught by Weiss to maintain and track the performance of the casino floor (col. 14, lines 10-50). Proper maintenance reduces down time of a machine which allows the machine to be played more which in turn increases profits. Repair codes are used to identify a certain repair and having a database of codes is advantageous because it allows the technician to quickly recognize and process the repair. Verification of machine activity is used so that after a certain repair has been done, the repair alert will be silenced so that multiple technicians will not be called to the same machine. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Cole with a maintenance system as taught by Weiss to reduce machine downtime and maximize casino profits.

Claim 36: Cole and Weiss does not teach the device coupled to a second device of a second gaming machine, the keypad for entering verification of machine activity related to the second gaming machine. Instead, Cole and Weiss teach a keypad for verification on a first machine. However, it would have been obvious to allow a second machine to verify activity on a first machine if the first machine is incapacitated and the keypad is non functional. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Cole and Weiss with the ability to enter verification of activity on a second machine for a first machine in case the first machine is unable to function properly, such that multiple technicians will not be called to the same machine.

***Response to Arguments***



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Applicant's arguments filed 5-22-07 have been fully considered but they are not persuasive. The applicant failed to point out why the amended claims are patentably distinct over the prior art (see MPEP 714.04).

Applicant's arguments with respect to claims 1-41 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Kim whose telephone number is 571-272-1691. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AK 6/25/2007

/Scott Jones/

Primary Examiner, Art Unit 3714